

REMARKS

This paper is presented in response to the Office Action. By this paper, claims 11-12 and 15-18 are amended, claims 1-10, 13, 14 and 19-34 are canceled, and claims 35-43 are added. Claims 21-32 and 34 were canceled in a previous paper. Claims 11-12, 15-18 and 35-43 are now pending as a result of the aforementioned cancellations and new claims.

Reconsideration of the application is respectfully requested in view of the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicant are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicants note that the remarks and amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such remarks, or a lack of remarks, and amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicants, of additional or alternative distinctions between the claims of the present application and the references cited by the Examiner, and/or the merits of additional or alternative arguments.

II. Objection to the Drawings

The Examiner has objected to the drawings and has asserted that the drawings do not comply with 37 CFR § 1.84(p)(5) because "the reference number 21 for cam is not shown in any of the drawings." Office Action, page 2. The Applicants respectfully disagree with the assertion of the Examiner and direct the attention of the Examiner to the paper filed by Applicant on July 2, 2004, in which the Applicant amended each of Figures 1, 2, 5, 6, 9 and 10 to include reference number 21. In light of the foregoing, Applicant respectfully submits that the objection to the drawings should be withdrawn.

III. Rejections Under 35 U.S.C. §112

The Examiner has rejected claims 1-20 and 33 under 35 U.S.C. § 112, first paragraph, and has asserted that these claims fail to comply with the written description requirement. Specifically, the Examiner has asserted that “The newly added limitation that the cam is formed via at least one bend introduces new matter.” The Examiner has also asserted that “the bent shaped can be formed by different methods such as molding, carving or cutting.” Office Action, page 3.

Inasmuch as claims 1-10, 13-14, 19-20 and 33 have been canceled herein, the rejection of those claims is moot and should be withdrawn. As to the remaining claims, Applicant respectfully disagrees with the assertions of the Examiner. However, in light of the claim amendments set forth herein, Applicant respectfully submits that the rejection under 35 U.S.C. § 112, first paragraph, has been overcome and should be withdrawn.

IV. Rejection Under 35 U.S.C. § 103(a)

Applicants respectfully note at the outset that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *MPEP § 2143*.

Turning now to the rejections, the Examiner has rejected claims 1-20 and 33 under 35 U.S.C. § 103(a) as being unpatentable over US 6,692,159 to Chiu et al. (“*Chiu*”). Inasmuch as claims 1-10, 13-14, 19-20 and 33 have been canceled herein, the rejection of those claims is moot and should be withdrawn. As to the remaining claims, Applicants respectfully disagree with the contentions of the Examiner and submit that for at least the reasons outlined below, the rejection should be withdrawn.

By this paper, Applicant has amended independent claim 10, from which claims 11-12 and 15-18 depend, to recite in part “... handle attached to said module, said handle including a cam portion in the shape of a bend, the cam portion being operably disposed with respect to the ejector button, and the handle being configured and arranged such that: rotary motion of the handle in a first direction corresponds with a linear motion of the ejector button to a first position where the module is engaged with a cage of an associated transceiver system; and rotary motion of the handle in a second direction corresponds with a linear motion of the ejector button to a second position where the module is

disengaged from the cage of the associated transceiver system.” Support for this amendment can be found in the application at Figures 1, 2, 6 and 10, and at pages 9-11.

Inasmuch as the Examiner has not established that any of the cited references teach or suggest the aforementioned limitations, in combination with the other limitations of the rejected claims, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness with respect to claims 10, 11-12 and 15-18.

V. New Claims

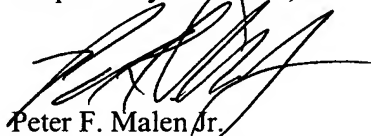
By this paper, Applicant has added new claims 35-43. Support for these new claims can be found in the specification at Figures 1, 2, 6 and 10, and at pages 9-11.

CONCLUSION

In view of the remarks submitted herein, Applicants respectfully submit that each of the claims 11-12, 15-18 and 35-43 now pending in this application is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 16th day of May, 2006.

Respectfully submitted,



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